

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CATHERINE L. WISSENBACK,

Plaintiff,

v.

OREGON JV LLC, et al.,

Defendants.

No. 2:24-cv-02047-DJC-JDP

ORDER TO SHOW CAUSE

On January 22, 2025, the Court issued an Order to Show Cause as to why Defendants Advanced Investment Corp., Shea Cambridge, Dave Duncan, Oregon JV LLC, Jeremy Parmenter, Deborah Russi, Joseph Russi, Menachem Sibler, Daniel P. Van Acker, and Austin L. Walker should not be dismissed without prejudice following Plaintiff's failure to timely serve Defendants (ECF No. 14). On February 7, 2025, the Court granted Plaintiff an additional sixty (60) days to effectuate proper service on all Defendants and file proof of service with the Court (ECF No. 20). Plaintiff filed proof of service with the Court as to Defendants Dave Duncan, Joseph Russi, Shea Cambridge, and Oregon JV LLC (ECF Nos. 24, 25, 26, 27) and voluntarily dismissed Defendants Advanced Investment Corp., Austin L. Walker, and Menachem Sibler (ECF Nos. 28, 29, 31). On May 5, 2025, the Court issued another Order to Show Cause because Plaintiff

1 failed to advise the Court as to whether Defendants Deborah Russi and Jeremy
2 Parmenter were properly served, and did not request additional time to do so (ECF
3 No. 33).

4 Additionally, the Court granted Defendant Christopher Peterman's Motion to
5 Dismiss with leave to amend (ECF No. 23), and to date, Plaintiff has not filed a second
6 amended complaint, nor requested additional time to do so (ECF No. 33). In
7 response to the May 5, 2025, Order to Show Cause, Plaintiff voluntarily dismissed
8 Defendants Deborah Russi and Jeremy Parmenter (ECF Nos. 34, 35) but made no
9 mention of Defendant Christopher Peterman. As such, on June 13, 2025, the Court
10 dismissed Plaintiff's claims against Defendant Christopher Peterman (ECF No. 37). To
11 date, none of the properly served Defendants have appeared in the matter, and
12 Plaintiff has failed to (1) file a second amended complaint, or request additional time
13 to do so, and/or (2) follow the procedure outlined for default in the Federal Rules of
14 Civil Procedure. Additionally, to date, Plaintiff has not addressed Defendant Daniel
15 Van Acker's status.

16 Given Plaintiff's repeated failure to pursue her causes of action, Plaintiff is
17 hereby ORDERED TO SHOW CAUSE in writing, within seven (7) days, as to why the
18 case should not be dismissed for failure to prosecute.

19 IT IS SO ORDERED.

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21 Dated: July 28, 2025

/s/ Daniel J. Calabretta

22 THE HONORABLE DANIEL J. CALABRETTA
23 UNITED STATES DISTRICT JUDGE
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